

Notice of Allowability

Application No.

10/809,721

Applicant(s)

GROSS ET AL.

Examiner

Art Unit

Elias Desta

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 4/17/2007.
2. ☒ The allowed claim(s) is/are 1, 2, 4-13, 15-18, 20-21, 23-27 and 3-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070703.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Detailed Action

Amendment/Remark

1. The Examiner accepts the amendment to the claims and acknowledges the cancellation of claims 3, 14, 19, 22 and 28-29. The status identifier to claims 1 and 20 should indicate the correct status of the claims as noted in the Examiner's Amendment below.

Examiner Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

- The first line in claim 1, change the status identifier from "Claim 1 (Original) ..." to "Claim 1 (Currently Amended)"
- The first line in claim 1, change the status identifier from "Claim 20 (Original) ..." to "Claim 20 (Currently Amended)"

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Lord on February 3, 2007.

Allowance

4. Claims 1, 2, 4-13, 15-18, 20-21, 23-27 and 3-34. The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 13, 18, 20 and 25: Wegerich (U.S. Patent 7,085,675) teaches a method for predictive condition monitoring of a monitored system by means of a sub-band decomposition of complex monitored signal. Features of the decomposed signal are extracted for modeling estimation and detection of deviations in the feature. The deviations are indicative of impending monitored system faults. This is the state of the art.

The primary reason for allowance of claims 1, 13, 18, 20 and 25 is the inclusion of the limitation that the method comprises "calculating a current frequency of occurrences of a particular quantized value of the physical variable in response to an occurrence of the particular quantized value, wherein the physical variable is measured by a physical sensor in the computer system; performing a Sequential Probability Ratio Test (SPRT) using current frequency and reference mean frequency of the particular quantized value to obtain a SPRT value; and issuing an alarm to a user of the computer system when the SPRT value indicates that the physical variable is anomalously changing". It is this limitation, as recited in combination, which is found in the dependent claims, but not found, taught or suggested in the prior art of record, that makes these claims allowable over the prior art.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Fri (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on (571)-272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Elias Desta
Examiner
Art Unit 2857

- E.D.


7/7/07
ELISEO RAMOS-FELICIANO
SUPERVISORY PATENT EXAMINER